

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHRISTINA P. HOOD)
v.) No. 3-10-0355
FIBERWEB, INC.)

O R D E R

By contemporaneously entered order, the Court has approved and entered the parties' case management order, with one slight modification addressed at the initial case management conference held on May 17, 2010. That modification and other matters addressed on May 17, 2010, are as follows:

1. Any discovery motion shall be filed by November 22, 2010, or, alternatively, the parties may schedule a telephone conference call with the Court no later than November 22, 2010, to address any discovery disputes.
2. Because the parties have already exchanged written discovery before the case was removed to this Court and no issues relating to discovery of electronically stored information have been raised, they are exempted from the provisions of Administrative Order No. 174, entitled "Default Standard for Discovery of Electronically Stored Information ('E-Discovery')," entered July 9, 2007.
3. As provided in the contemporaneously entered order, the deadline for filing any dispositive motion is December 20, 2010. Any response shall be filed within 31 days of the filing of the motion or by January 20, 2011, if the motion is filed on December 20, 2010. Any reply, if necessary, shall be filed within 14 days of the filing of the response or by February 3, 2011, if the response is filed on January 20, 2011.

No other filings in support of or in opposition to any dispositive motion shall be made except with the express permission of the Honorable John T. Nixon.

There shall be no stay of discovery before the November 19, 2010, deadline for completion of fact and expert discovery even if a dispositive motion is filed prior thereto.

In consultation with Judge Nixon's office, a jury trial is scheduled on **Tuesday, June 7, 2011, at 9:00 a.m.**, in Courtroom 774, U.S. Courthouse, 801 Broadway, Nashville, TN. The parties estimate that the trial will last three (3) days.

The parties are directed to contact Ms. Mary Conner, courtroom deputy to Judge Nixon, by 12:00 noon on Friday, June 3, 2011, if this case has settled. Failure to provide such notification in the event the parties have settled the case may result in assessment of costs against the parties and/or their attorneys, including but not limited to the costs of summoning the jurors. The pretrial conference is also scheduled before Judge Nixon, on **Friday, May 27, 2011, at 10:00 a.m.**, in Chambers, 770 U.S. Courthouse.

By April 29, 2011, counsel shall advise opposing counsel of those portions of any depositions to be read to the jury or those portions of video depositions to be viewed by the jury, in accord with Local Rule 32.01(b) and Rule 26(a)(3)(A)(ii) of the Federal Rules of Civil Procedure, and shall serve a list of the expected witnesses and exhibits in accord with Rule 26(a)(3)(A)(i) and (iii) of the Federal Rules of Civil Procedure.

By May 9, 2011, the parties shall file any motions in limine, any Daubert motions and/or motions relating to expert testimony, any evidentiary objections to deposition testimony, in accord with Local Rules 32.01(b) and 39.01(d)(1) and Rule 26(a)(3)(B), and any objections to proposed exhibits in accord with Rule 26(a)(3)(B).

Any responses to such motions in limine, any responses to any Daubert motions and/or motions relating to expert testimony, and any responses to objections to deposition testimony and proposed exhibits shall be filed by May 20, 2011.

By May 20, 2011, the parties shall also:

1. Submit a proposed joint pretrial order;¹
2. Exchange their final lists of witnesses and exhibits;
3. File their respective final witness and exhibit lists;
4. File a listing of all agreed stipulations; and
5. File proposed jury instructions, any special interrogatories, and any special verdict forms.

A deadline for filing pretrial briefs will be established at the pretrial conference, if appropriate.

The parties shall premark all exhibits and comply with Local Rule 39.01(c)(4).

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge

¹ The pretrial order shall contain (1) a recitation that the pleadings are amended to conform to the pretrial order and that the pretrial order supplants the pleadings; (2) a short summary of the plaintiff's theory (no more than one page); (3) a short summary of the defendant's theory (no more than one page); (4) the issues to be submitted to the Court and the jury; (5) any anticipated evidentiary issues; and (6) a statement that the parties have complied with the provisions of this order.